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5	UNITED STATES I	DISTRICT COURT
6	DISTRICT OF NEVADA	
7	-00	00-
8	UNITED STATES OF AMERICA,	2:14-cr-023-GMN-NJK
9	Plaintiff,	
	vs.	STIPULATION TO CONTINUE GOVERNMENT'S DEADLINE TO
10	JAMES SCOTT ALVA,	RESPOND TO MOTION TO SUPPRESS (#20)
11	·	(Sixth Request)
12	Defendant.	
13	IT IS HEREBY STIPULATED AND AGR	EED, by and between Daniel G. Bogden, United
14	States Attorney, and Amber M. Craig, Assistant United States Attorney, counsel for the United	
15	States of America, and Robert Draskovich, Esq., co	ounsel for Defendant James Alva, that the
16	Government's deadline to respond to the Defendar	t's Motion to Suppress, currently scheduled for
17	March 20, 2015, be vacated and continued for thirt	y days, or to a date to be set at the Court's
18	convenience.	
19	This stipulation is entered into for the following reasons:	
20	1. The parties are engaged in plea negotian	tions which may resolve the case without the need
21	to litigate the pretrial motions, and additional time is needed for the negotiations.	
22	2. The Defendant is in custody and does not object to the continuance.	
23	3. For the reasons stated above, the ends of	f justice would best be served by a continuance of
24	the response deadline.	

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1	4. Additionally, denial of this request for continuance could result in a miscarriage of
2	justice.
3	5. The additional time requested by this Stipulation is excludable in computing the time
4	within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
5	States Code, Sections 3161(h)(3)(A) and (h)(7)(A), considering the factors under Title 18, United
6	States Code, Sections 3161(h)(7)(B)(i) and (h)(7)(B)(iv).
7	6. This is the fifth request for a continuance filed herein.
8	DATED this 20th day of March, 2015.
9	DANIEL G. BOGDEN
10	United States Attorney
11	<u>/s/ Robert Draskovich</u> <u>/s/ Amber M. Craig</u> ROBERT DRASKOVICH, ESQ. AMBER M. CRAIG
12	Counsel for Defendant Alva Assistant United States Attorney
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1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA -000-3 UNITED STATES OF AMERICA, 4 Plaintiff, 2:14-cr-023-GMN-NJK 5 FINDINGS OF FACT, CONCLUSIONS vs. 6 OF LAW, AND ORDER JAMES SCOTT ALVA, 7 Defendant. 8 FINDINGS OF FACT 9 Based upon the pending Stipulation of counsel, and good cause appearing therefore, the 10 Court finds that: 11 1. The parties are engaged in plea negotiations which may resolve the case without the need 12 to litigate the pretrial motions, and additional time is needed for the negotiations. 13 2. The Defendant is in custody and does not object to the continuance. 14 3. For the reasons stated above, the ends of justice would best be served by a continuance of 15 the response deadline. 16 4. Additionally, denial of this request for continuance could result in a miscarriage of 17 justice. 18 5. The additional time requested by this Stipulation is excludable in computing the time 19 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, 20 United States Code, Sections 3161(h)(3)(A) and (h)(7)(A), considering the factors under Title 18, 21 United States Code, Sections 3161(h)(7)(B)(i) and (h)(7)(B)(iv). 22 **CONCLUSIONS OF LAW** 23 The ends of justice served by granting said continuance outweigh the best interest of the 24 public and the Defendant in a speedy trial, since the failure to grant said continuance would be likely

1	to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity
2	within which to be able to effectively and thoroughly prepare for trial, taking into account the
3	exercise of due diligence.
4	The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United
5	States Code, Sections 3161(h)(1)(A), (h)(7)(A), (h)(7)(B)(i), and (h)(7)(B)(iv).
6	<u>ORDER</u>
7	IT IS THEREFORE ORDERED that the Government's deadline to file its response to
8	Defendant's Motion to Suppress, currently scheduled for March 20, 2015, be vacated and continued
9	to the 20th day of April, 2015.
10	DATED this 20th day of March, 2015.
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12	HONODA DI ENAVONI MODDE
13	HONORABLE NANCY J. KOPPE UNITED STATES MAGISTRATE JUDGE
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